IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 18178 of 2004

Between:

1 P.Srinivasa Rao, E-360670 S/o Sambasiva Rao
All Drivers and Conductors are working in Vuyyuru Depot,
R/o Vuyyuru, Krishan District.
2 Ch.Samuel, E-360650 S/o Babu Rao
All Drivers and Conductors are working in Vuyyuru Depot,
R/o Vuyyuru, Krishan District.
3 V.Srinivasa Rao, E-360595 s/o Krishna Rao
All Drivers and Conductors are working in Vuyyuru Depot,
R/o Vuyyuru, Krishan District.
4 M.Venkateswara rao , E-360779 S/o Ramaiah
All Drivers and Conductors are working in Vuyyuru Depot,
R/o Vuyyuru, Krishan District.
5 K.Prasad Rao , E-360939 S/o Venkateswara Rao
All Drivers and Conductors are working in Vuyyuru Depot,
R/o Vuyyuru, Krishan District.
6 M.Krishna Mohan Rao , E-352784 S/o Venkatapathi
All Drivers and Conductors are working in Vuyyuru Depot,
R/o Vuyyuru, Krishan District.
7 G.Rama Rao , E-352726 S/o Venkateswara Rao
All Drivers and Conductors are working in Vuyyuru Depot,
R/o Vuyyuru, Krishan District.

.....PETITIONERS

AND

1 The AP.SRTC. rep.by its Managing Director,
Musheerabad, Hyderabad
2 The Regional Manager, AP.SRTC., Krishna Region,
Krishna District at Vijayawada.
3 The Depot Manager, APSRTC Vuyyuru, Krishna

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents herein in not granting the selection grade scale Stagnation increments to the petitioners on completion of 12 years service is illegal, unjust and arbitrary contrary to well established principles of law and as such set aside the same by directing the respondents herein to add the stagnation increments to the petitioners on completion of 12 years of service irrespective of their transfer from the date of initial appointment and to pay the arrears by refixing the pay of all the petitioners forthwith.

Counsel for the Petitioners: MR.S.M.SUBHAN

Counsel for the Respondents: MR.R.MANMADHA REDDY (SC FOR APSRTC)

The Court at the admission stage made the following :

ORDER:-

The petitioners are working as Drivers and Conductors in the respondent-Corporation. They are contending that they have completed 12 years of service in the respondent-Corporation in the same post, therefore, they are entitled for stagnation increments according to the circular instructions of the respondent-Corporation vide Circular No. PD 113/89 dated 03-06-1989. A similar question came up for consideration before this Court in Writ Appeal No.1301/2001 preferred against the Writ Petition No.5726 of 2000, wherein a Division Bench of this Court held that the employees who have completed 12 years of service are entitled for stagnation increments, irrespective of their transfers from one region to another region and accordingly directed the Corporation to consider the cases of those petitioners for granting of stagnation increments.

In the light of the circumstances explained by the petitioners, and in the light of the judgment of a Division Bench in Writ Appeal No.1301 of 2001, dated 29-10-2002, the respondents are directed to consider the representations of the petitioners regarding the release of stagnation increments after examining whether they completed 12 years of continuous service in the same cadre irrespective of their transfer from one region to another region and pass appropriate orders according to the existing rules.

The Writ Petition is accordingly disposed of.

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Dr. G. Yethirajulu, J.

Dt: 7th October, 2004.

Rns.

To

1 The Managing Director,

A.P.S.R.T.C. Musheerabad, Hyderabad.

2 The Regional Manager, AP.SRTC., Krishna Region,
Krishna District at Vijayawada.

3 The Depot Manager, APSRTC, Vuyyuru, Krishna District.

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